

### **REMARKS**

This responds to the Office Action dated August 16, 2005. No claims are amended, claims 8-22 are canceled, and claims 23-35 are added. Thus, claims 1-7 and 23-35 are now pending in this application.

#### **Double Patenting Rejection**

Claims 1-7 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 2-9 of U.S. Patent No. 6,223,078, over claims 2-6 of U.S. Patent No. 6,484,055, and over claims 12 and 13 of U.S. Patent No. 6,687,540. Applicant submits a Terminal Disclaimer in compliance to obviate the rejection. Applicant respectfully requests reconsideration and allowance of claims 1-7.

#### **New Claims**

Applicant has amended the application to add claims 23-35, such that 3 independent claims and 20 total claims are now pending in this application. Applicant respectfully submits that no new matter was added in making this amendment.

Claim 1 was classified as Group I by the Examiner, and Group I was elected by Applicant in the Response dated July 5, 2005. The new claims include two independent claims, 23 and 29, both of which contain the language in independent claim 1. Thus, Applicant respectfully submits that the new claims are within the elected Group I. Applicant respectfully requests allowance of new claims 23-35 along with claims 1-7.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorneys Daniel Mertes at (651) 253-6550 or Marvin Beekman at (612) 373-6960 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.


Respectfully submitted,

ALAN F. MARCOVECCHIO

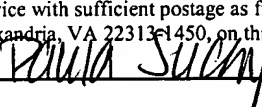
By his Representatives,

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Date 9-28-05

By   
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 28 day of September, 2005.

  
Name

  
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